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JUN 10 2008

Serial No. 10/583,575

PROVISIONAL GROUP ELECTION AND SPECIES ELECTION

Applicant provisionally elects group I. Applicant respectfully believes claims 10, 13-15, 17, 19, 21, 23, and 25 are readable on the elected group. Additionally, in response to the species election requirement, Applicant respectfully elects (1-(dimethyl(2-oxypyridine)silyl)-2,3,4,5-tetramethylcyclopentadiene) chromium.

TRAVERSAL

Applicant respectfully traverses the Examiner's restriction and species election requirement.

First and foremost, Applicant respectfully traverses the Examiner's restriction requirement. In particular, the current Office Action states,

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

However, Applicant respectfully believes claims 10-26 all comprise, in part, Applicant's novel and unobvious monocyclopentadienyl complex comprising, at the very least, a structural feature of formula (I) (i.e.,  $\text{Cp}-(\text{Z-A})_m\text{M}^A$ ). Accordingly, Applicant respectfully believes all of claims 10-26 comprise a

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corresponding special technical feature, as required by PCT Rule 13.2, and thus relate to a single general inventive concept pursuant to PCT Rule 13.1. Therefore, Applicant respectfully believes the current rejection should be withdrawn.

Additionally, Applicant respectfully traverses the instant species election outlined by the Examiner. In particular, the current Office Action states,

Applicant is required, in reply to this action, to elect a single disclosed species to which the claims shall be restricted if no generic claim is finally held to be allowable. For example, if Group I is elected, then a single disclosed compound of formula (I) should be elected, **a single disclosed catalyst system** should be elected and **the reactants for the process** should be disclosed, and additionally, either subgroup A or B elected. **The reply must also identify the claims readable on the elected species, including any claims subsequently added.** An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election. (Emphasis added)

However, Applicant respectfully traverses the Examiner requirement for Applicant to elect, "a single disclosed catalyst system", and "the reactants for the process should be disclosed". See page 3, lines 11-13 in the instant Office Action. In particular, first and foremost, claims 10, 13-15, 17, and 19 are composition claims regarding the monocyclopentadienyl complex. Accordingly, any election regarding a catalyst system and/or "reactants for the process" would be irrelevant to claims 10, 13-

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15, 17, and 19, as well as unduly burdensome to Applicant. Therefore, Applicant respectfully believes this requirement should be rescinded by the Examiner on the merits alone, notwithstanding the fact that claims 10-26 satisfy PCT Rules 13.1 and 13.2 as outlined *supra*, and should subsequently be examined in their entirety.

Nevertheless, should the Examiner maintain the current requirement, Applicant respectfully notes Applicant's specification discloses how to make and use an embodiment of the present subject matter on page 58, line 27 - page 59, line 7, including "a single disclosed catalyst system", and "the reactants for the process". In particular, Example 6 uses the catalyst of Example 1; Example 7 uses the catalyst of Example 3; and Example 8 used the catalyst of Example 4. See Table 1 on page 60 of Applicant's specification.

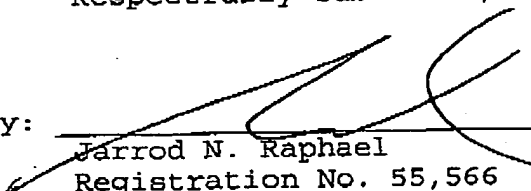
In view of the foregoing, Applicant respectfully requests the Examiner to reconsider and withdraw the restriction requirement and species election, and to examine all of the claims pending in this application.

If the Examiner has any questions or comments regarding this matter, the Examiner is welcomed to contact the undersigned practitioner at the number listed below.

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Respectfully submitted,

By:

  
Jarrod N. Raphael

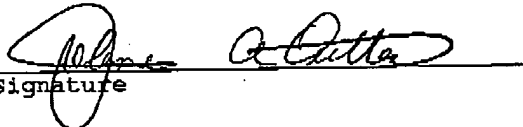
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300) on June 10, 2008.

Jolene A. Outten  
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